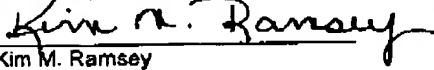


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Kim M. Ramsey

PATENT APPLICATION
Docket No. 6071-002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: McCabe, et al.

Appeal No. 2005-2152

Serial No.: 09/438,184

Examiner: Dinh, Dung C.

Filed: November 11, 1999

Group Art Unit: 2153

For: FLEXIBLE REMOTE DATA MIRRORING

Date: November 28, 2005

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Responsive to the Decision On Appeal issued by the Board of Patent Appeals and Interferences, dated September 28, 2005, enclosed is an Amendment Under 37 C.F.R. § 41.50(b) in the above-identified application.

CLAIMS AS AMENDED					
For:	Number After Amendment	Previous Number	Extra	Rate	Additional Fee
Total Claims	20	-109*	0	x \$25 =	\$0
Independent Claims	2	-3**	0	x \$100 =	\$0
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT					\$0

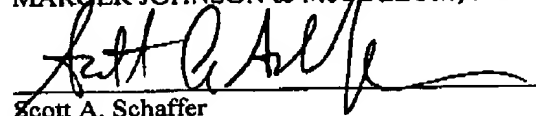
*greater of twenty (20) or number for which fee has been paid

**greater of three (3) or number for which fee has been paid

☒ Any deficiency or overpayment should be charged or credited to deposit account number 13-1703.

Respectfully submitted,

MARGER JOHNSON & McCOLLOM, P.C.


Scott A. Schaffer
Reg. No. 38,610

MARGER JOHNSON & McCOLLOM, P.C.
210 SW Morrison Street, Suite 400
Portland, OR 97204
(503) 222-3613
Customer No. 20575

NOV 28 2005

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AMENDMENT UNDER 37 C.F.R. § 41.50

Responsive to the Decision On Appeal issued by the Board of Patent Appeals and Interferences, dated September 28, 2005, please amend the application as follows.

- **Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this paper.
- **Remarks/Arguments** begin on page 6 of this paper.

I hereby certify that this correspondence is being transmitted to the U.S. Patent and Trademark Office via facsimile number 571-273-8300, on November 28, 2005.

Kim M. Ramsey
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